

Senate Bill 297 - Prefile

By: Senator Seay of the 34th

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 40-2-74 of the Official Code of Georgia Annotated, relating to special license plates for persons with disabilities, so as to require submission of an updated affidavit by a practitioner of the healing arts; to amend Code Section 40-2-74.1 of the Official Code of Georgia Annotated, relating to special parking permits for persons with disabilities, so as to require submission of an updated affidavit by a practitioner of the healing arts; to amend Code Section 40-6-226 of the Official Code of Georgia Annotated, relating to offenses and penalties for violation of certain provisions relating to parking for persons with disabilities, so as to provide for a definition; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 40-2-74 of the Official Code of Georgia Annotated, relating to special license plates for persons with disabilities, is amended by adding a new subsection as follows:

"(b.1) A submission of proof of disability by affidavit, as required in subsections (a) and (a.1) of this Code section, shall be valid for five years. Following the expiration of the affidavit, a specially designated disabled person's metal license plate shall only be renewed or replaced upon the submission of a new updated affidavit of a practitioner of the healing arts stating that the person continues to be a person with disabilities as defined in Code Section 40-6-221. A revalidation decal shall not be issued for a specially designated disabled person's metal license plate unless such person has complied with the requirements of this subsection by submitting a valid affidavit to the department."

SECTION 2.

Code Section 40-2-74.1 of the Official Code of Georgia Annotated, relating to special parking permits for persons with disabilities, is amended by revising subsection (c) as follows:

"(c) The department shall issue a permanent permit to any permanently disabled person upon presentation of an affidavit of a licensed doctor of medicine, licensed doctor of osteopathic medicine, licensed doctor of podiatric medicine, licensed optometrist, or licensed chiropractor stating that such person is a permanently disabled person. The affidavit shall further state the specific disability that limits or impairs the person's ability to walk or that he or she is a person with disabilities as specified in paragraph (5) of Code Section 40-6-221. The department shall also issue a permanent permit to an institution which operates vehicles used primarily for the transportation of individuals with disabilities upon presentation of a certification from the institution regarding use of its vehicles. The institution shall receive permits only for the number of vehicles so used and shall affix the permits to the driver's side of the dashboards of such vehicles. The permanent permit shall be predominantly blue in color and shall show prominently on its face an expiration date four years from the date it is issued. The expiration date shall be machine printed, not handwritten, in boldface type of sufficient size to be legible when the permit is displayed on the driver's side of the dashboard or hung from the rearview mirror. A permanent permit issued pursuant to this subsection shall not be renewed following the expiration date of such permit without submission of a new updated affidavit of a practitioner of the healing arts stating that the person continues to be a person with disabilities as defined in Code Section 40-6-221. A permanent permit to an institution shall be renewed following the expiration date only upon presentation of an updated certification from the institution regarding use of its vehicles."

SECTION 3.

Code Section 40-6-226 of the Official Code of Georgia Annotated, relating to offenses and penalties for violation of certain provisions relating to parking for persons with disabilities, is amended by redesignating subsections (a) through (h) as subsections (b) through (k) and adding a new subsection (a) as follows:

"(a) For purposes of this Code section, the term 'displayed' shall mean that the expiration date of a parking permit is clearly visible from the vehicle's front windshield."

SECTION 4.

This Act shall become effective on July 1, 2010, and shall apply to offenses committed on or after such date.

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.